GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA

UNSTARRED QUESTION NO:450
ANSWERED ON:20.11.2007
PROTECTION OF WITNESSES
Agarwal Shri Dhirendra;Renge Patil Shri Tukaram Ganpatrao

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether witnesses are often harassed and pressed to change their evidence or prevented from giving evidences;

(b) if so, the steps undertaken for providing protection to the witnesses;

(c) the details of the existing provisions in this regard;

(d) the number of people against whom action has been taken under these provisions; and

(e) the outcomes thereof?

Answer

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRIMATI V. RADHIKA SELVI)

(a): There have been media reports that witnesses are influenced to alter their stand.

(b): The Law Commission in its 198th Report has dealt with the subject of "Witness Identity Protection" and " Witness Protection Programme". Since the Criminal Justice System is in the Concurrent list of the Constitution, recommendations made by the Law Commission have to be examined in consultation with the State Government before a view is taken.

(c): Section 194, 195 and 195A of the Indian Penal Code deal with giving or fabricating false evidence and threatening any person to give false evidence.

(d): As it is for the State Governments concerned to initiate action against the witnesses who have been ruled as hostile by the Court, no centralized data has been maintained in the Ministry of Home Affairs.

(e): Does not arise.